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PLEASE DELIVER TO:

NAME: Examiner Scott A. Rogers, Group Art 2624

COMPANY: USPTO

PHONE: (703) 305-4726

FAX #: (703) 872-9306

FROM:

NAME: Christopher D. Wait

PHONE #: (585) 423-6918

FAX #: (585) 423-5240

Total Pages

(Including Cover Sheet): 5

Special instructions or supplemental message: Attorney File No. 98235-US-NP - PETITION TO WITHDRAW HOLDING OF ABANDONMENT ISSUE FEE TIMELY PAID to follow:

Inventor(s): Lotfi Belkhir
Application No.: 09/389,271
Filed: 09/02/1999
Examiner: Scott A. Rogers
Art Unit: 2624
Confirmation No.: 5226

Title: **FRINGE FIELD TAILORING WITH SUB-PIXEL PATTERNS FOR IMPROVED PRINT QUALITY**

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JUN 14 2004

OFFICIALPATENT APPLICATION
Attorney File No. 98235-US-NP

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Lotfi Belkhir

Application No.: 09/389,271

Filed: 09/02/1999

Examiner: Scott A. Rogers

Art Unit: 2624

Confirmation No.: 5226

Title: **FRINGE FIELD TAILORING WITH SUB-PIXEL
PATTERNS FOR IMPROVED PRINT QUALITY**CERTIFICATE OF TRANSMISSION

I hereby certify that this
correspondence is being facsimile
transmitted to the U.S. Patent and
Trademark Office (Fax No. (703)
872-9306, on:

6/14/2004

(Date of transmission)


Francis S. LePoreCommissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

PETITION TO WITHDRAW HOLDING OF ABANDONMENTISSUE FEE TIMELY PAID

The undersigned has been notified that application Serial No. 09/389,271 has been abandoned for alleged failure, according to the United States Patent and Trademark Office (USPTO), to timely pay the required issue fee within the statutory period of three months from the mailing date of the Notice of Allowance, and which three months expired on 04/13/2004. The Notice of Abandonment was mailed on 05/26/2004 and received by Xerox on 06/02/2004.

It is respectfully requested that the holding of abandonment of application Serial No. 09/389,271 be withdrawn and for revival and issuance thereof as there was no abandonment in fact based on the enclosed Auto-Reply Transmission and Issue Fee Transmittal which indicate that the issue Fee Transmittal (PTOL-85) was transmitted to the USPTO via facsimile number (703-872-9306) on 01/21/2004, and received by the USPTO, prior to the due date of

Application No. 09/389,271

04/13/2004. The Fee Transmittal (PTOL-85) contained a Certificate of Facsimile Transmission that was signed by Holliday Rohrbaugh and was dated 01/21/2004.

Supporting documentation showing proof of transmission of the Fee Transmittal (PTOL-85) to the USPTO for payment of the issue fee for application Serial No. 09/662,198 is enclosed herewith, including a copy of:

- (1) Original Fee Transmittal-PTOL-85;
- (2) Auto-Reply Transmission from the U.S. Patent Office (Fax received 01/21/2004, 1:23:03 PM); and
- (3) Confirmation Report from sender's facsimile machine (Send Successful), and which sheet recited the USPTO FAX number of 703-872-9306 on 01/21/2004.

On information and belief, the new centralized facsimile number (703-872-9306) used on 01/21/2004 for the transmission of Fee Transmittal (PTOL-85) to the USPTO for Serial No. 09/389,271 was believed at the time by Holliday Rohrbaugh to be the proper facsimile number for transmitting the Fee Transmittal PTOL-85 document to the USPTO. The facsimile number, 703-746-4000, was used until December 1, 2003 when the centralized facsimile number went into effect. An investigation by another Xerox senior patent attorney, after learning of Xerox' receipt of numerous notices of abandonment from the USPTO, found that the used facsimile number (703-872-9306) was the new centralized facsimile number published in a USPTO Notice. It was thought that use of that new centralized facsimile number theoretically may have been a cause or part of a problem resulting in abandonment of application Serial No. 09/389,271, although the finding was not definitive. Also, the published USPTO notice relied on for use of that centralized facsimile number was believed by the Xerox senior patent attorney not to have provided generally clear instruction. For example, exceptions to using the new centralized fax number were listed near the top of the USPTO Notice, in separate paragraphs and a reader may assume those are

Application No. 09/389,271

ALL the exceptions. Only in the text near the bottom of that lengthy notice are the two other, and more important, exceptions for not using the centralized fax number, including a fax number of (703-746-4000) for issue fee transmittal. The fact of faxing of the final fee payment to the new USPTO central facsimile number which the PTO had designated for most incoming PTO papers, and the fact of the PTO's indication to except the use of that central facsimile number for final fee payments, were both only recently discovered by the Xerox senior patent attorney, and that Xerox' Docket practice was then promptly changed. However, a number of Xerox' final fees had been faxed to the PTO's designated central facsimile number before that discovery.

If use of the used centralized facsimile number was improper for transmission of the Fee Transmittal, it is not understood why: (a) the issue fee transmittal documented as having been received at the United States Patent and Trademark Office on 01/21/2004 (via Auto-Reply Transmission) was not then forwarded to the appropriate personnel for further processing as an Applicant with proof of receipt should be able to rely on the personnel of the USPTO to direct the Fee Transmittal to the proper individual or department for further processing; (b) the receipt by the USPTO of the Fee transmittal-(PTOL-85) was not entered into the USPTO Palm System; or (c) Xerox was not notified of a problem with use of the centralized facsimile number for issue fee transmittal, other than by a notice of abandonment.

Any oversight or error, if any, was unintentional by the undersigned or Xerox with respect to use of the central facsimile number that may have resulted in abandonment of application Serial No. 09/389,271. The abandonment of application Serial No. 09/389,271 was not intended.

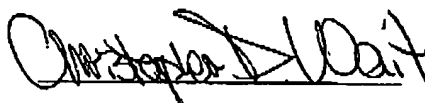
It is respectfully requested that the Holding of Abandonment be withdrawn and for prompt issuance of a patent corresponding to application Serial No. 09/389,271. No petition fee is believed required for the present petition. However, in the event a petition fee of \$130.00 is required, please charge deposit account number 24-0025.

Application No. 09/389,271

Petitioners respectfully request that this request be granted leading to issuance in the above-identified case.

In the event the Examiner considers personal contact advantageous to the disposition of this case, he is hereby requested to call the undersigned attorney at (585) 423-6918, Rochester, NY.

Respectfully submitted,



Christopher D. Wait
Attorney for Applicant(s)
Registration No. 43,230
Telephone (585) 423-6918

June 14, 2004
RH/fsl
Xerox Corporation
Xerox Square 20A
Rochester, New York 14644

PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: Mail

Mail Stop ISSUE FEE
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450
or Fax (703) 746-4000

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 4 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Legibly mark-up with any corrections on the Block 1)

7590

01/13/2004

JOHN E BECK
XEROX CORPORATION
XEROX SQUARE 20A
ROCHESTER, NY 14644

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO, on the date indicated below.

Holliday Rohrbach (Depositor's name)
Holliday Rohrbach (Signature)
1-21-04 (Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/389,271	09/02/1999	LOTTI BELKHIR	D/98235	5226

TITLE OF INVENTION: FRINGE FIELD TAILORING WITH SUB-PIXEL PATTERNS FOR IMPROVED PRINT QUALITY

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1330	\$0	\$1330	04/13/2004

EXAMINER	ART UNIT	CLASS-SUBCLASS
ROGERS, SCOTT A	2626	358-001900

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.

☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.

2. For printing on the patent front page, list (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

CHRISTOPHER D. WAIT

2. _____
3. _____

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. Inclusion of assignee data is only appropriate when an assignment has been previously submitted to the USPTO or is being submitted under separate cover. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Xerox Corporation
Stamford, CT

Please check the appropriate assignee category or categories (will not be printed on the patent); ☐ individual ☒ corporation or other private group entity ☐ government

4a. The following fee(s) are enclosed:

☒ Issue Fee☐ Publication Fee☐ Advance Order - # of Copies _____

4b. Payment of Fee(s):

☐ A check in the amount of the fee(s) is enclosed.☐ Payment by credit card. Form PTO-2038 is attached.☒ The Director is hereby authorized by charge the required fee(s), or credit any overpayment, to Deposit Account Number 24-0025 (enclose an extra copy of this form).

Director for Patents is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fees to the application identified above.

(Authorized Signature)

(Date)

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant, a registered attorney or agent, or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Alexandria, Virginia 22313-1450.

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TRANSMIT THIS FORM WITH FEE(S)

PTOL-85 (Rev. 11/03) Approved for use through 04/30/2004.

OMB 0651-0033

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Fax Sender at +5854235240

1/21/2004 2:16:03 PM [Eastern Standard Time]

1 (including cover page)

Received
Cover
Page

D/98235

Confirmation Report - Memory Send

Time : 2004-Jan-21 14:17
Tel line : +5854235240
Name : XEROX

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Job number           : 515
Date                 : Jan-21 14:16
To                   : 8-17038729306-15560
Document pages       : 001
Start time           : Jan-21 14:16
End time             : Jan-21 14:17
Pages sent           : 001
Status               : OK

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Job number : 515

*** SEND SUCCESSFUL ***

PART D - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: **AT&T**

Mail Stop ISSUE FOR
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450
(703) 746-6000

INSTRUCTIONS: This form should be used for transmitting the SECURE PASS and FULLY VERIFIED PASS (if required). Blocks 1 through 4 should be completed where indicated unless otherwise noted or directed otherwise in Block 1 by (A) specifying a www.unclassifiedsource.com url to be opened by the recipient, unclassified source, or (B) indicating a registered email address.

7899
JOHN E BECK
XEROX CORPORATION
XEROX SQUARE 20A
ROCHESTER, NY 14644

91/12/804

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Certificate of Mailing or Transmission
I hereby certify that this _____ Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail, in accordance with the provisions of the laws of the United States, for delivery by registered mail to the addressee above, or being transmitted by other means.

HALL, A. E. (Dempsey's Normal)	
HALL, A. E. (Dempsey's Normal)	
1-24-50 (Dempsey's Normal)	

APPLICATION NO. 00880271	FILING DATE 04/03/2000	FIRST NAMED INVENTOR LOTTI BELKIR	ATTORNEY DOCKET NO. EM923.5	CONFIRMATION NO. 5336
TITLE OF INVENTION: PHONIC PIANO TALKING WITH SUB-FEEL PATTERNING FOR IMPROVED PIANO QUALITY				

TITLE OF INVENTION: FINCH FIELD TAILORING WITH SUB-FOOT PATTERNING FOR IMPROVED FOOT QUALITY

APPLN TYPE mmpcvtelone)	SMALL ENTITY NO	MSUS FEE \$1330	PUBLICATION FEE \$0	TOTAL FEES DUE \$1330	RATE DUE 04/13/2004
EXAMINER ROGERS, SCOTT A		AKT UNIT 2626	CLASS-STAGE FEE \$50,001,000		

1. Change of correspondence address in situation of "Pecuniary" (27

in Change of Correspondence Address (or Change of Correspondence Address Field 1-1 (CVS 1-1.1.1) attached).

2. For printing on the patent form, item (1) the names of up to six registered patent attorneys or agents OR, alternatively, OR, in the case of a single person, OR, as a member of a recognized advisory group, and the names of up to 25 registered patent attorneys or agents. If the names is limited, no names will be printed.

CHRISTOPHER D. WAIT

2. APPLICANT NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee will appear on the report. Inclusion of assignee data is only appropriate when an assignment has been previously submitted to the DAP-10 or is being withdrawn. Enter:

(A) NAME OF ASSIGNEE (B) ASSIGNMENT: CITY AND STATE OR CODE (C) ASSIGNMENT: CITY AND STATE OR CODE

Xerox Corporation
Stamford, CT

Please check the appropriate signature category (or categories) and fill in the number on the number):

4a. The following facts are enclosed:

Wages Free

Full-Header Fee
 Submission Order - # of Copies

4 Advance Order - # of Copies

Director for Parents is suggested as

(Authorizing Signature) [Signature] (Date) 10/2/2011

[illegible]

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PTCL-82 (Rev. 11/02) Approved for use through 04/30/2004.

044P 0451-0034

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE